

## EXHIBIT 416

1 UNITED STATES DISTRICT COURT  
2 FOR THE NORTHERN DISTRICT OF OHIO  
3 EASTERN DIVISION

4 IN RE: NATIONAL PRESCRIPTION Case No. 1:17-MD-2804  
5 OPIATE LITIGATION

Hon. Dan A. Polster

6 APPLIES TO ALL CASES

7 - - - - - /

8 HIGHLY CONFIDENTIAL - SUBJECT TO FURTHER  
9 CONFIDENTIALITY REVIEW

10 VIDEOTAPED  
11 DEPOSITION OF: CHRISTOPHER BELLI  
12 DATE: December 20, 2018  
13 TIME: 9:35 a.m. to 12:05 p.m.

14 PLACE:  
15 201 North Franklin Street  
Suite 3400  
16 Tampa, Florida  
17 PURSUANT TO: Notice by counsel for  
Plaintiffs for purposes of  
18 discovery, use at trial  
or such other purposes  
19 as are permitted under  
the Ohio Rules  
20 of Civil Procedure  
BEFORE: LISA A. SIMONS-CLARK, RMR, CRR  
Notary Public, State of  
21 Florida at Large  
22 Pages 1 to 210  
23  
24  
25

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<p>1 APPEARANCES:</p> <p>2 MARK P. PIFKO, ESQUIRE</p> <p>3 Baron &amp; Budd, P.C.</p> <p>4 15910 Ventura Boulevard, Suite 1600</p> <p>5 Encino, California 91436</p> <p>6 (818) 839-2333</p> <p>7 - and -</p> <p>8 WILLIAM G. POWERS, ESQUIRE</p> <p>9 Baron &amp; Budd, P.C.</p> <p>10 600 New Hampshire Avenue NW</p> <p>11 The Watergate, Suite 10-A</p> <p>12 Washington, DC 20037</p> <p>13 (202) 333-4562</p> <p>14 Attorneys for Plaintiffs and PEC</p> <p>15 ELISA P. McENROE, ESQUIRE</p> <p>16 Morgan Lewis &amp; Bockius, LLP</p> <p>17 1701 Market Street</p> <p>18 Philadelphia, Pennsylvania 19103-2921</p> <p>19 (215) 963-5917</p> <p>20 - and -</p> <p>21 KELLY A. MOORE, ESQUIRE</p> <p>22 JOHN M. MALOY, ESQUIRE</p> <p>23 Morgan Lewis &amp; Bockius, LLP</p> <p>24 101 Park Avenue</p> <p>25 New York, New York 10178</p> <p>(212) 309-6612</p> <p>Attorneys for Rite-Aid and Rick Chapman</p> <p>APPEARANCES VIA TELEPHONE AND STREAM</p> <p>ERIN GIBSON ALLEN, ESQUIRE</p> <p>Marcus &amp; Shapira, LLP</p> <p>301 Grant Street</p> <p>One Oxford Centre, 35th Floor</p> <p>Pittsburgh, Pennsylvania 15219</p> <p>(412) 338-5202</p> <p>Attorney for HBC</p> <p>JOANNE CACERES, ESQUIRE</p> <p>Jones Day</p> <p>77 West Wacker</p> <p>Chicago, Illinois 60601</p> <p>(312) 782-3939</p> <p>Attorney for Walmart</p>	<p>1 INDEX</p> <p>2 PAGE</p> <p>3 DIRECT EXAMINATION BY MR. PIFKO 6</p> <p>4 CERTIFICATE OF OATH 208</p> <p>5 REPORTER'S CERTIFICATE 209</p> <p>6 ERRATA SHEET 210</p> <p>7 (ATTACHED TO THE TRANSCRIPT)</p> <p>8 EXHIBITS MARKED</p> <p>9 RITE AID BELLI 1 - Rite_Aid_OMDL_0015454 to 15506 17</p> <p>10 RITE AID BELLI 2 - Printout of Mr. Belli's</p> <p>11 LinkedIn profile 53</p> <p>12 RITE AID BELLI 3 - Rite_Aid_OMDL_0016717 to 719 68</p> <p>13 RITE AID BELLI 4 - Rite_Aid_OMDL_0015079 to 15081 74</p> <p>14 RITE AID BELLI 5 - Rite_Aid_OMDL_0014035 with</p> <p>15 attachments 79</p> <p>16 RITE AID BELLI 6 - Rite_Aid_OMDL_0014727 to 14802 97</p> <p>17 RITE AID BELLI 7 - Rite_Aid_OMDL_0014379 to 14452 115</p> <p>18 RITE AID BELLI 8 - Rite_Aid_OMDL_0017279 to 17292,</p> <p>19 with attachments 121</p> <p>20 RITE AID BELLI 9 - Rite_Aid_OMDL_0021819 to 21823 137</p> <p>21 RITE AID BELLI 10 - Rite_Aid_OMDL_0017321 to 322,</p> <p>22 with a Power Point attachment 141</p> <p>23 RITE AID BELLI 11 - Rite_Aid_OMDL_0017445 to 17448 145</p> <p>24 RITE AID BELLI 12 - Rite_Aid_OMDL_0014487 to 14490 149</p> <p>25 RITE AID BELLI 13 - Rite_Aid_OMDL_0038075 to 77 154</p> <p>RITE AID BELLI 14 - Rite_Aid_OMDL_0017328 with a</p> <p>native spreadsheet 160</p> <p>RITE AID BELLI 15 - Rite_Aid_OMDL_0040184 to</p> <p>0040198 164</p> <p>RITE AID BELLI 16 - Rite_Aid_OMDL_0014948 to 51 175</p>
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<p style="text-align: right;">Page 6</p> <p>1 MS. RUSSO: Shana Russo from Reed Smith --</p> <p>2 MS. ADAMS: Kate Adams --</p> <p>3 THE REPORTER: One more time.</p> <p>4 MS. RUSSO: Shana Russo --</p> <p>5 MS. ADAMS: Kate Adams representing Cardinal</p> <p>6 Health.</p> <p>7 MS. RUSSO: Shana Russo with Reed Smith</p> <p>8 representing AmerisourceBergen Corporation.</p> <p>9 MR. McCORMICK: Sean McCormick for the Endo</p> <p>10 and Par defendants.</p> <p>11 THE VIDEOGRAPHER: Thank you. The court</p> <p>12 reporter is Lisa Clark and will now swear in the</p> <p>13 witness.</p> <p>14 CHRISTOPHER BELLI,</p> <p>15 the witness herein, being first duly sworn on oath, was</p> <p>16 examined and deposed as follows:</p> <p>17 THE WITNESS: I do.</p> <p>18 DIRECT EXAMINATION</p> <p>19 BY MR. PIFKO:</p> <p>20 Q. Good morning, Mr. Belli.</p> <p>21 A. Good morning.</p> <p>22 Q. My name is Mark Pifko. We just met a few</p> <p>23 minutes ago for the first time off the record. I'm</p> <p>24 going to be asking you some questions today. Let's</p> <p>25 start by having you state and spell your name for the</p>	<p style="text-align: right;">Page 8</p> <p>1 taking any -- any substances that would impair your</p> <p>2 memory or your ability to provide truthful and accurate</p> <p>3 testimony today?</p> <p>4 MS. McENROE: Objection to form.</p> <p>5 THE WITNESS: No.</p> <p>6 BY MR. PIFKO:</p> <p>7 Q. Is there any reason you can think of that this</p> <p>8 deposition should not go forward?</p> <p>9 A. No.</p> <p>10 Q. Okay. So you've been doing fine so far. When</p> <p>11 I ask a question, we need an audible response instead</p> <p>12 of nodding your head or shrugging your shoulders. Do</p> <p>13 you understand that?</p> <p>14 A. Yes.</p> <p>15 Q. Okay. And we can't have you say uh-huh or</p> <p>16 uh-uh because when you see it in writing, it looks</p> <p>17 the -- basically a yes and a no kind of look the same.</p> <p>18 So try to give a verbal yes or no rather than saying</p> <p>19 uh-huh or uh-uh. Okay?</p> <p>20 A. Yes.</p> <p>21 Q. I'm going to be asking you about some events</p> <p>22 in the past. I don't want you to guess, but I am</p> <p>23 entitled to your best recollection of the events.</p> <p>24 Okay?</p> <p>25 A. Yes.</p>
<p style="text-align: right;">Page 7</p> <p>1 record.</p> <p>2 A. Christopher, C-h-r-i-s-t-o-p-h-e-r, Belli,</p> <p>3 B-e-l-l-i.</p> <p>4 Q. Okay. And have you ever had your deposition</p> <p>5 taken before?</p> <p>6 A. No.</p> <p>7 Q. So I assume in preparing with your counsel,</p> <p>8 they went over some of the basic parameters, but we're</p> <p>9 going to go over a couple of the rules of the road just</p> <p>10 so that we're all on the same page here. Okay?</p> <p>11 A. Okay.</p> <p>12 Q. First and foremost, you were just administered</p> <p>13 the oath. Do you understand that?</p> <p>14 A. Yes.</p> <p>15 Q. Okay. And so that means that if you are</p> <p>16 dishonest or you lie or are misleading intentionally,</p> <p>17 that you could be subject to penalties from the court.</p> <p>18 Do you understand that?</p> <p>19 MS. McENROE: Objection to form.</p> <p>20 THE WITNESS: Yes.</p> <p>21 BY MR. PIFKO:</p> <p>22 Q. Is there any reason why you're unable to tell</p> <p>23 the truth today?</p> <p>24 A. No.</p> <p>25 Q. Are you undergoing any medical treatment or</p>	<p style="text-align: right;">Page 9</p> <p>1 Q. And then if I ask a question that you don't</p> <p>2 understand, please let me know and I'll rephrase it.</p> <p>3 Understood?</p> <p>4 A. Yes.</p> <p>5 Q. If you answer the question, I'm going to</p> <p>6 assume that you understand it. Okay?</p> <p>7 A. Yes.</p> <p>8 MS. McENROE: Can we take a quick break for</p> <p>9 one second?</p> <p>10 MR. PIFKO: Sure.</p> <p>11 THE VIDEOGRAPHER: Off the record, 9:39 a.m.</p> <p>12 (Brief recess was taken.)</p> <p>13 THE VIDEOGRAPHER: On the record, 9:39 a.m.</p> <p>14 BY MR. PIFKO:</p> <p>15 Q. All right. So we just went over the basics of</p> <p>16 a deposition. So you used to work for Rite-Aid,</p> <p>17 correct?</p> <p>18 A. Correct.</p> <p>19 Q. And you understand that we're here today in</p> <p>20 connection with a lawsuit that asserts claims against</p> <p>21 various companies, including Rite-Aid. Do you</p> <p>22 understand that?</p> <p>23 A. Yes.</p> <p>24 Q. When -- what years did you work for Rite-Aid?</p> <p>25 A. 2007 to 2013.</p>

<p style="text-align: right;">Page 10</p> <p>1 Q. Did you have the same position while you 2 worked at Rite-Aid? 3 A. No. 4 Q. Okay. What was the first position you held? 5 A. The first position was an operations manager 6 in Atlanta, Georgia. 7 Q. What was the time period you held that? 8 A. 2007 to 2009. 9 Q. And then you moved to another position? 10 A. I moved to Charlotte, North Carolina, as a 11 senior operations manager. 12 Q. What was the time period for that job? 13 A. 2009 to 2011. 14 Q. And then what was your next position? 15 A. Senior manager of transportation. 16 Q. Where was that located? 17 A. Rite-Aid headquarters. 18 Q. In Camp Hill? 19 A. Yes. 20 Q. What was the time period for that? 21 A. 2011 to 2012. 22 Q. And what was your next position? 23 A. Senior director of regulatory compliance and 24 pharmacy returns. 25 Q. That was also in Camp Hill?</p>	<p style="text-align: right;">Page 12</p> <p>1 A. No. 2 Q. Have you gone to any school since then? 3 A. No. 4 Q. What's your current position? Do you work for 5 somebody else right now? 6 A. Yes, for team Novo Nordisk. It's a 7 professional sports team. I'm the VP of compliance, 8 HR, and finance. 9 Q. Did you start that job right after you left 10 Rite-Aid? 11 A. Yes. 12 Q. You've had the same position there since you 13 left Rite-Aid to now? 14 A. I started in just compliance, and then over 15 the past few years I've taken on new roles. 16 Q. Okay. When you were operations manager in 17 Atlanta, did you have any responsibilities that 18 concerned controlled substances? 19 A. No. 20 Q. How about when you were a senior operations 21 manager in Charlotte? 22 A. No. 23 Q. How about manager of transportation in 24 Camp Hill? 25 A. No.</p>
<p style="text-align: right;">Page 11</p> <p>1 A. Yes. 2 Q. And that was from 2012 to when? 3 A. 2013. 4 Q. And then in 2013, you left the company? 5 A. Yes. 6 Q. Do you remember approximately what month that 7 was? 8 A. October. 9 Q. For that position, the regulatory compliance 10 position, do you remember approximately the month you 11 started? 12 A. I don't. 13 Q. Do you know if it was in the beginning of the 14 year or end of the year? Do you have any sense? 15 A. I don't remember. 16 Q. Okay. What's your highest level of education? 17 A. I have a Bachelor's Degree from University of 18 Tennessee. 19 Q. What year did you get that? 20 A. I graduated in 2002. 21 Q. Did you go straight through four years, like a 22 standard four-year university? 23 A. Actually, three and a half years. 24 Q. Okay. Did you attend any graduate courses 25 after that?</p>	<p style="text-align: right;">Page 13</p> <p>1 Q. So I assume you had some responsibilities when 2 you were regulatory compliance senior director -- 3 A. Yes. 4 Q. -- with -- concerning controlled substances. 5 "Yes"? 6 A. Yes. 7 Q. Okay. Are you familiar with the scheduling of 8 controlled substances? 9 MS. McENROE: Objection to form. 10 THE WITNESS: Yes. 11 BY MR. PIFKO: 12 Q. Like Schedule 1, 2, through 5, you understand 13 that? 14 A. Yes. 15 Q. Okay. Do you know what the difference is, 16 roughly, between the different schedules? 17 MS. McENROE: Objection to form. 18 THE WITNESS: Yes. 19 BY MR. PIFKO: 20 Q. Okay. What's your understanding of what the 21 difference is? 22 A. The C2 through C5, the addictive level of each 23 drug. Like 2 being opioids and 3, slowly going down to 24 5. 25 Q. The risk of addiction is higher the lower the</p>

<p style="text-align: right;">Page 14</p> <p>1 schedule number; is that correct?</p> <p>2 MS. McENROE: Objection to form.</p> <p>3 THE WITNESS: No. C5 would be less risk for</p> <p>4 addiction.</p> <p>5 BY MR. PIFKO:</p> <p>6 Q. Right. So as you go lower in scheduling --</p> <p>7 A. Yes.</p> <p>8 Q. -- the higher the risk; is that correct?</p> <p>9 MS. McENROE: Objection to form. You may</p> <p>10 answer.</p> <p>11 THE WITNESS: Yeah. C5 would be less</p> <p>12 addiction than C2.</p> <p>13 BY MR. PIFKO:</p> <p>14 Q. Okay. As part of your job as senior director</p> <p>15 of regulatory compliance, did you undertake to become</p> <p>16 familiar with the Controlled Substances Act?</p> <p>17 MS. McENROE: Objection to form.</p> <p>18 THE WITNESS: Yes.</p> <p>19 BY MR. PIFKO:</p> <p>20 Q. What -- did you take any courses?</p> <p>21 A. I -- I worked with our government affairs</p> <p>22 department and attended some conferences. Mainly the</p> <p>23 government affairs.</p> <p>24 Q. Did they have a formal training seminar they</p> <p>25 provided to you?</p>	<p style="text-align: right;">Page 16</p> <p>1 Q. Have you seen his deposition transcript?</p> <p>2 A. No.</p> <p>3 Q. When you -- so when you became senior director</p> <p>4 of regulatory compliance, you were provided with</p> <p>5 various policies and procedures of the company; is that</p> <p>6 correct?</p> <p>7 A. Yes, I was provided, but I was also familiar</p> <p>8 with a lot of them from working in distribution</p> <p>9 centers.</p> <p>10 Q. Okay. When did you first become familiar with</p> <p>11 these policies and procedures while working at</p> <p>12 distribution centers?</p> <p>13 A. In probably 2009ish we started an audit team,</p> <p>14 an internal audit team, and I was on the audit team,</p> <p>15 and we used to audit internally the distribution</p> <p>16 centers, and we audited all their policies and</p> <p>17 procedures.</p> <p>18 So that's when I first saw a lot of the</p> <p>19 policies and procedures outside of the obvious ones</p> <p>20 that I already knew from the operations I was involved</p> <p>21 in.</p> <p>22 Q. Did your auditing include any issues</p> <p>23 concerning controlled substances?</p> <p>24 A. We audited controlled substances.</p> <p>25 Q. How -- in what way did you audit controlled</p>
<p style="text-align: right;">Page 15</p> <p>1 A. No. We had a lot of policies and procedures</p> <p>2 already in place, so it was a matter of reviewing those</p> <p>3 and working -- any questions I may have had working</p> <p>4 with government affairs.</p> <p>5 Q. Is there a particular individual you remember</p> <p>6 working with in government affairs to do your training?</p> <p>7 A. Yes.</p> <p>8 Q. What was the name of that person?</p> <p>9 A. Janet Hart.</p> <p>10 Q. Anyone else?</p> <p>11 A. Sophia Lai.</p> <p>12 Q. Anyone else?</p> <p>13 A. No.</p> <p>14 Q. What -- do you have an understanding about</p> <p>15 what Janet's position was at that time, her official</p> <p>16 title?</p> <p>17 A. I don't recall her official title.</p> <p>18 Q. How about Sophia?</p> <p>19 A. I don't recall her official title either.</p> <p>20 Q. Who -- who was your boss when you were senior</p> <p>21 director of regulatory compliance?</p> <p>22 A. Rick Chapman.</p> <p>23 Q. Are you aware that he was deposed earlier this</p> <p>24 week?</p> <p>25 A. Yes.</p>	<p style="text-align: right;">Page 17</p> <p>1 substances?</p> <p>2 A. To make sure the DCs were following the</p> <p>3 policies and procedures put in place.</p> <p>4 Q. So do you believe that you have an accurate</p> <p>5 understanding of what Rite-Aid's policies and</p> <p>6 procedures were with respect to handling and</p> <p>7 distributing controlled substances?</p> <p>8 MS. McENROE: Objection to form.</p> <p>9 THE WITNESS: I did at the time. I can't say</p> <p>10 I probably remember all of them exactly right now,</p> <p>11 but I do remember some.</p> <p>12 BY MR. PIFKO:</p> <p>13 Q. So from time to time during the course of this</p> <p>14 deposition I'm going to be handing you documents.</p> <p>15 A. Okay.</p> <p>16 Q. They're going to have a little sticker on it</p> <p>17 with a number; and then I'm sure that, in preparing for</p> <p>18 the deposition, Rite-Aid's counsel went over this, but</p> <p>19 there's little numbers on the bottom. They're called</p> <p>20 Bates numbers, and each page in the case has a unique</p> <p>21 number, and I'll be referring to the pages that way.</p> <p>22 A. Okay.</p> <p>23 (Rite-Aid Belli Exhibit No. 1 was marked for</p> <p>24 identification.)</p> <p>25 BY MR. PIFKO:</p>



<p style="text-align: right;">Page 18</p> <p>1 Q. So I'm handing you what's marked as Exhibit 1.</p> <p>2 You can take your time to look at the exhibit as long</p> <p>3 as you feel that you need. I'm going to tell you I</p> <p>4 only have a question about one of the pages, even</p> <p>5 though this is a lengthy document.</p> <p>6 Let the record reflect that the witness is</p> <p>7 reviewing Exhibit 1. For the record, Exhibit 1 is a</p> <p>8 document headed Rite Aid of Maryland, Inc., DBA</p> <p>9 Rite Aid Mid-Atlanta Customer Support Center (DC No.</p> <p>10 10) Standard Operating Procedures Index. It's Bates</p> <p>11 labeled Rite_Aid_OMDL_0015454 through 15506.</p> <p>12 Have you seen this document before?</p> <p>13 A. Yes.</p> <p>14 Q. When was the last time you believe you saw it?</p> <p>15 A. I don't recall.</p> <p>16 Q. Okay. Sometime during -- you were working for</p> <p>17 Rite-Aid you believe you saw this document before?</p> <p>18 A. Yes.</p> <p>19 Q. Okay. Can you tell me what this is?</p> <p>20 A. It's the SOP for the DCs.</p> <p>21 Q. When you say "SOP for the DCs," what do you</p> <p>22 mean?</p> <p>23 A. It's the standard operating procedures for the</p> <p>24 Perryman Distribution Center.</p> <p>25 Q. If you could turn your attention to the page</p>	<p style="text-align: right;">Page 20</p> <p>1 there. Do you see that?</p> <p>2 A. Yes.</p> <p>3 Q. It says DC 10 is a Wholesale Distributor for</p> <p>4 Rite Aid corporation and is engaged in the "Wholesale</p> <p>5 Distribution" of Prescription Drugs and Devices which,</p> <p>6 for the purposes of this criteria, means distribution</p> <p>7 of Prescription Drugs and Devices to persons other than</p> <p>8 a consumer or patient and includes the offer to sell;</p> <p>9 deliver; offer to deliver; give away; or transfer,</p> <p>10 whether by passage of title, physical movement, or</p> <p>11 both. Do you see that?</p> <p>12 A. Yes.</p> <p>13 Q. Do you understand that DC -- Rite-Aid's DC 10</p> <p>14 was a wholesale distributor?</p> <p>15 A. To our internal -- they're inner company</p> <p>16 sales, so we only ship to our own stores.</p> <p>17 Q. Okay. But for the purposes of shipping to</p> <p>18 Rite-Aid's own stores, you understood that the Perryman</p> <p>19 facility was a distributor under the Controlled</p> <p>20 Substances Act?</p> <p>21 MS. McENROE: Objection to form.</p> <p>22 THE WITNESS: We were a distribution center</p> <p>23 that were supplying product to our internal</p> <p>24 stores.</p> <p>25 BY MR. PIFKO:</p>
<p style="text-align: right;">Page 19</p> <p>1 that's Bates labeled with that name I gave you earlier,</p> <p>2 Rite_Aid_OMDL_0015459. Are you there?</p> <p>3 A. Licensing --</p> <p>4 Q. Yeah.</p> <p>5 A. Yes.</p> <p>6 Q. So this is an SOP called Licensing</p> <p>7 Requirements. Agree?</p> <p>8 A. Yes.</p> <p>9 Q. Are you familiar with this?</p> <p>10 A. No.</p> <p>11 Q. Okay. It says Effective Date January 5th,</p> <p>12 2009. Do you see that?</p> <p>13 A. Yes.</p> <p>14 Q. Is this a format of SOP that you're -- you</p> <p>15 have experience having seen while working at Rite-Aid?</p> <p>16 MS. McENROE: Objection to form.</p> <p>17 THE WITNESS: This is one format. We have</p> <p>18 many SOPs.</p> <p>19 BY MR. PIFKO:</p> <p>20 Q. Okay. But this is one of the formats that</p> <p>21 you're familiar with seeing?</p> <p>22 A. Yes.</p> <p>23 Q. Okay. Do you see here -- it's got a couple</p> <p>24 numbers here. I want to direct your attention to 4.8</p> <p>25 towards the bottom of the second to last paragraph</p>	<p style="text-align: right;">Page 21</p> <p>1 Q. The Perryman facility was -- have you heard</p> <p>2 the term "a registrant" under the Controlled Substances</p> <p>3 Act?</p> <p>4 A. Yes.</p> <p>5 Q. Okay. Do you understand that the Perryman</p> <p>6 facility was a registrant under the Controlled</p> <p>7 Substances Act?</p> <p>8 A. Yes.</p> <p>9 Q. Okay. Were there any other -- and as a</p> <p>10 registrant, that means that the Perryman facility was</p> <p>11 licensed to distribute controlled substances; is that</p> <p>12 correct?</p> <p>13 MS. McENROE: Objection to form.</p> <p>14 THE WITNESS: Yes.</p> <p>15 BY MR. PIFKO:</p> <p>16 Q. Were there other facilities, distribution</p> <p>17 centers, at Rite-Aid that were registrants who were</p> <p>18 licensed to distribute controlled substances?</p> <p>19 A. Yes.</p> <p>20 Q. Which other distribution centers?</p> <p>21 A. Woodland and Tuscaloosa and Charlotte.</p> <p>22 Q. Any others?</p> <p>23 A. No.</p> <p>24 Q. So do you know the, roughly, the geographic</p> <p>25 regions that these distribution centers serviced?</p>

<p style="text-align: right;">Page 22</p> <p>1 MS. McENROE: Objection to form.</p> <p>2 THE WITNESS: Yes.</p> <p>3 BY MR. PIFKO:</p> <p>4 Q. Okay. I'm just -- I'm not asking you</p> <p>5 particular cities --</p> <p>6 A. Yeah.</p> <p>7 Q. -- but roughly the states. Do you know --</p> <p>8 A. For some of the distribution centers.</p> <p>9 Q. Okay. Well, let's talk about the Perryman</p> <p>10 facility. Do you know, roughly, which states it</p> <p>11 serviced?</p> <p>12 A. I do not.</p> <p>13 Q. Okay. How about if you think of portions of</p> <p>14 the country, can you describe what your understanding</p> <p>15 of what general region the Perryman facility serviced?</p> <p>16 MS. McENROE: Objection to form.</p> <p>17 THE WITNESS: The East Coast.</p> <p>18 BY MR. PIFKO:</p> <p>19 Q. How about Woodland?</p> <p>20 A. The West Coast.</p> <p>21 Q. How about Tuscaloosa?</p> <p>22 A. Tuscaloosa and Charlotte both would be</p> <p>23 Southeast.</p> <p>24 Q. How about states like Ohio, Kentucky, and</p> <p>25 West Virginia, do you know which service --</p>	<p style="text-align: right;">Page 24</p> <p>1 A. I knew it, yes.</p> <p>2 Q. Okay. What -- what -- which schedule -- what</p> <p>3 type of scheduled products did you understand that the</p> <p>4 Perryman facility distributed?</p> <p>5 A. 3 through 5.</p> <p>6 Q. And how about the Woodland facility?</p> <p>7 A. The same.</p> <p>8 Q. How about the Tuscaloosa facility?</p> <p>9 A. The same.</p> <p>10 Q. Charlotte?</p> <p>11 A. The same.</p> <p>12 Q. Did -- at any time to your knowledge, did any</p> <p>13 of those facilities distribute Schedule 2 products?</p> <p>14 A. No.</p> <p>15 Q. Okay. Do you have an understanding of what an</p> <p>16 opioid is?</p> <p>17 MS. McENROE: Objection to form.</p> <p>18 THE WITNESS: Yes.</p> <p>19 BY MR. PIFKO:</p> <p>20 Q. Okay. What's your understanding of what an</p> <p>21 opioid is?</p> <p>22 A. It's a medication that's prescribed for -- for</p> <p>23 various reasons.</p> <p>24 Q. Can you give me any examples of products that</p> <p>25 you understand to be opioid products?</p>
<p style="text-align: right;">Page 23</p> <p>1 distribution center serviced those areas?</p> <p>2 A. Perryman.</p> <p>3 Q. As part of your job duties, did you, at the</p> <p>4 time, have some more detailed familiarity with the</p> <p>5 geographic regions serviced by the various distribution</p> <p>6 centers?</p> <p>7 A. Yes.</p> <p>8 Q. So then there -- am I correct that there are</p> <p>9 other distribution centers, in addition to the four</p> <p>10 that you named?</p> <p>11 A. Yes, but they didn't all ship pharmacy.</p> <p>12 Q. Okay. So it's only -- so while there are</p> <p>13 other distribution centers for Rite-Aid, only those</p> <p>14 four locations distributed controlled substances; is</p> <p>15 that correct?</p> <p>16 A. Yes.</p> <p>17 Q. And when we were looking back and talking</p> <p>18 about how the Perryman facility was a registrant of the</p> <p>19 Controlled Substances Act, do you have an understanding</p> <p>20 of which types of controlled substances were</p> <p>21 distributed through that facility?</p> <p>22 MS. McENROE: Objection to form.</p> <p>23 THE WITNESS: Not the details of the NDCs, no.</p> <p>24 BY MR. PIFKO:</p> <p>25 Q. How about by scheduling?</p>	<p style="text-align: right;">Page 25</p> <p>1 A. Hydrocodone, OxyContin.</p> <p>2 Q. Any others?</p> <p>3 A. Those are the two that I can think of.</p> <p>4 Q. How about Tramadol, have you ever heard of</p> <p>5 that?</p> <p>6 A. I've heard of it, yes.</p> <p>7 Q. Do you know if that's an opioid?</p> <p>8 A. I'm not sure.</p> <p>9 Q. Did you have an understanding that, among the</p> <p>10 Schedule 3 through 5 products that were distributed by</p> <p>11 these four distributors, that they included -- that</p> <p>12 included opioid products?</p> <p>13 MS. McENROE: Objection to form.</p> <p>14 THE WITNESS: Yes.</p> <p>15 BY MR. PIFKO:</p> <p>16 Q. Okay. Have you ever heard of something called</p> <p>17 a hydrocodone combination product?</p> <p>18 A. No.</p> <p>19 Q. Have you ever heard the term "suspicious order</p> <p>20 monitoring"?</p> <p>21 A. Yes.</p> <p>22 Q. What does that mean to you?</p> <p>23 MS. McENROE: Objection to form.</p> <p>24 THE WITNESS: It's the due diligence that was</p> <p>25 done to ensure the controlled substances stayed</p>



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1 within the supply chain and there's no diversion.  
 2 BY MR. PIFKO:  
 3 Q. Do you know what diversion is?  
 4 A. Yes.  
 5 Q. What's your understanding of what diversion  
 6 is?  
 7 A. When a controlled substances leaves its chain  
 8 of custody and gets into the hands of someone that it  
 9 wasn't intended for.  
 10 Q. Do you understand Rite-Aid, as a registrant,  
 11 to have a duty to prevent diversion or to engage in  
 12 efforts designed to prevent diversion?  
 13 MS. McENROE: Objection to form.  
 14 THE WITNESS: Yes.  
 15 BY MR. PIFKO:  
 16 Q. Do you have an understanding of what practices  
 17 and procedures Rite-Aid had in place to attempt to  
 18 prevent diversion?  
 19 MS. McENROE: Objection to form.  
 20 THE WITNESS: Yes.  
 21 BY MR. PIFKO:  
 22 Q. Do you have an understanding of what  
 23 procedures and practices and policies Rite-Aid had in  
 24 place to identify and report suspicious orders?  
 25 MS. McENROE: Objection to form.

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1 THE WITNESS: Yes.  
 2 BY MR. PIFKO:  
 3 Q. Do you know what a suspicious order is?  
 4 MS. McENROE: Objection to form.  
 5 THE WITNESS: Yes.  
 6 BY MR. PIFKO:  
 7 Q. Okay. Can you tell me what a suspicious order  
 8 is?  
 9 A. It's anything that's, I guess, out of the --  
 10 out of the ordinary, not normal. It could be -- it  
 11 could be various reasons, but, I mean, it's -- there's  
 12 not, like, I mean, a clear definition. It would be --  
 13 it's unique to each store or situation. There's not a  
 14 blanket answer for a suspicious order.  
 15 Q. Okay. Let's talk about Rite-Aid's policies,  
 16 practices, and procedures that were designed to attempt  
 17 to prevent diversion. Okay?  
 18 A. Yes.  
 19 Q. What can you tell me, what were the procedures  
 20 that Rite-Aid had in place as a distributor to attempt  
 21 to prevent diversion?  
 22 MS. McENROE: Objection to form.  
 23 THE WITNESS: At the DC level or corporate  
 24 level?  
 25 BY MR. PIFKO:

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1 Q. Well, let's go through both.  
 2 A. Okay.  
 3 Q. So let's start at the distribution center  
 4 level.  
 5 A. At the distribution center level, there was  
 6 thresholds in place where if a picker received an order  
 7 above that threshold, that they would adjust the order  
 8 down to the threshold limit.  
 9 Also, the pickers in those areas were senior  
 10 associates that worked there for a long time and were  
 11 very familiar with the stores they were picking for.  
 12 So if something seemed suspicious to them or out of the  
 13 ordinary to them, they could contact the store to do  
 14 further research.  
 15 We also had a replenishment system at the  
 16 store level where the orders that came to the  
 17 distribution center were already calculated based on  
 18 the store's volume, dispensing volume, which gave them  
 19 a suggested order quantity, which was based on their  
 20 history and then also asset protection. The government  
 21 affairs did various reviews and audits.  
 22 Q. Anything else?  
 23 A. No. I'm not that -- I mean, there may be  
 24 others, but those are the ones I recall.  
 25 Q. Okay. Let's go through some of the details of

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1 those. You said that there were thresholds, correct?  
 2 A. Correct.  
 3 Q. Okay. What's a threshold?  
 4 MS. McENROE: Objection to form.  
 5 THE WITNESS: It's a limit that we would never  
 6 pull over that amount.  
 7 BY MR. PIFKO:  
 8 Q. When you say "never pull," what do you mean?  
 9 A. Pick, pick an order, to ship to the store.  
 10 Q. So even if an order comes in that exceeds a  
 11 threshold, Rite-Aid would never ship an order beyond  
 12 the threshold; is that correct?  
 13 MS. McENROE: Objection to form.  
 14 THE WITNESS: Yes, unless there is an  
 15 exception for that store.  
 16 BY MR. PIFKO:  
 17 Q. During the time period that you worked for  
 18 Rite-Aid, are you familiar with what the thresholds  
 19 were?  
 20 A. I don't recall at this time. When I was in my  
 21 position I did.  
 22 Q. Do you know if most stores had the same  
 23 threshold?  
 24 A. All -- most stores had the same threshold with  
 25 the exceptions, with the exception stores that were

<p style="text-align: right;">Page 30</p> <p>1 reviewed periodically.</p> <p>2 Q. Have you heard of the term that the thresholds</p> <p>3 were around 5,000? Does that sound familiar?</p> <p>4 MS. McENROE: Objection to form.</p> <p>5 THE WITNESS: Yes.</p> <p>6 BY MR. PIFKO:</p> <p>7 Q. Okay. So most stores had a threshold of</p> <p>8 5,000, and then there was a handful of stores that had</p> <p>9 some other threshold?</p> <p>10 A. Correct.</p> <p>11 Q. Do you recall, roughly, what percentage of</p> <p>12 stores had the -- were the exception stores?</p> <p>13 A. It was under 10.</p> <p>14 Q. Okay. Out of what, thousands of stores; is</p> <p>15 that correct?</p> <p>16 A. Correct.</p> <p>17 Q. Okay. Do you remember any of those stores?</p> <p>18 A. I do not.</p> <p>19 Q. Do you know how the threshold was calculated</p> <p>20 originally?</p> <p>21 A. I do not.</p> <p>22 Q. So that was already in place when you took</p> <p>23 your job?</p> <p>24 A. Correct.</p> <p>25 Q. Did you ever speak to anyone about how the</p>	<p style="text-align: right;">Page 32</p> <p>1 recall.</p> <p>2 MS. McENROE: Objection to form.</p> <p>3 THE WITNESS: They could have picked off</p> <p>4 paper. It could have been pick-to-light. Paper</p> <p>5 is a paper order with the store number listed and</p> <p>6 the order that they're selecting. Pick-to-light</p> <p>7 was a system where the order is lit up in front,</p> <p>8 and it told them the number to select of that</p> <p>9 item.</p> <p>10 BY MR. PIFKO:</p> <p>11 Q. Do you know how or why an order could come in</p> <p>12 by paper versus pick-to-light?</p> <p>13 A. Its technology in the DC.</p> <p>14 Q. Okay. With respect to the DCs that</p> <p>15 distributed controlled substances, do you know, did</p> <p>16 they have pick-to-light systems?</p> <p>17 MS. McENROE: Objection to form.</p> <p>18 THE WITNESS: Some DCs did; some -- I -- some</p> <p>19 did not. It depended on the items they were</p> <p>20 pulling. If it was a fast-moving item and it was</p> <p>21 efficient at pick-to-light, it would.</p> <p>22 BY MR. PIFKO:</p> <p>23 Q. Okay. How about with respect to Schedule 3</p> <p>24 controlled substances, do you know if all those items</p> <p>25 were through the pick-to-light system?</p>
<p style="text-align: right;">Page 31</p> <p>1 thresholds were calculated?</p> <p>2 A. No.</p> <p>3 Q. Are you familiar with any training that --</p> <p>4 what -- sorry, let's back up. You used the term</p> <p>5 "picker"; is that correct?</p> <p>6 A. Yes.</p> <p>7 Q. What's a picker?</p> <p>8 A. An order selector, the associate in the DC</p> <p>9 that selects the order for the store.</p> <p>10 Q. Are you familiar with the process by which an</p> <p>11 order selector selects items in an order for the store?</p> <p>12 A. There's multiple processes, but I'm familiar</p> <p>13 with some of them, yes.</p> <p>14 Q. Okay. Is order selector the official title of</p> <p>15 the people who do that job?</p> <p>16 A. I'm -- I -- I don't know the official title.</p> <p>17 I don't recall the official title.</p> <p>18 Q. But you recall "order selector" being a term</p> <p>19 that's --</p> <p>20 A. Yes.</p> <p>21 Q. -- used?</p> <p>22 A. Yes.</p> <p>23 Q. So what's your understanding of how an order</p> <p>24 selector fulfills an order? You said there's multiple</p> <p>25 ways. Just -- let's go through the first way that you</p>	<p style="text-align: right;">Page 33</p> <p>1 A. I don't recall.</p> <p>2 Q. Okay. So in a situation where there's a paper</p> <p>3 order, where does -- how does an order selector receive</p> <p>4 the piece of paper, do you know?</p> <p>5 MS. McENROE: Objection to form.</p> <p>6 THE WITNESS: They -- there was a stack of</p> <p>7 orders, and they would pull their order that was</p> <p>8 next in line, and they would select for that</p> <p>9 store.</p> <p>10 BY MR. PIFKO:</p> <p>11 Q. So it's like a -- I'm trying to visualize the</p> <p>12 situation.</p> <p>13 A. Yeah.</p> <p>14 Q. It's like a store. They get a -- they get,</p> <p>15 like, a shopping list, the order, and then they have to</p> <p>16 walk through aisles and put items into some sort of</p> <p>17 container. Is that how it works?</p> <p>18 MS. McENROE: Objection to form.</p> <p>19 THE WITNESS: Into a tote, yes. They would</p> <p>20 have a piece of paper, the store, what they're</p> <p>21 selecting, and yes, they would pull it off the</p> <p>22 bins and put it into a red tote.</p> <p>23 BY MR. PIFKO:</p> <p>24 Q. What is -- a tote, is it like a bag, or is it</p> <p>25 like a plastic container?</p>

<p style="text-align: right;">Page 34</p> <p>1 A. It's a plastic container.</p> <p>2 Q. Okay. Like -- I travel a lot. Like those</p> <p>3 containers at the airport you put your suitcase in or</p> <p>4 bigger?</p> <p>5 MS. McENROE: Objection to form.</p> <p>6 BY MR. PIFKO:</p> <p>7 Q. When you go through security, if you know what</p> <p>8 I'm talking about.</p> <p>9 A. I -- it's a red tote. I mean, it's a tote</p> <p>10 just like you see at any distribution center is using</p> <p>11 they ship it in. It's common in distribution.</p> <p>12 Q. Okay. So they have the order. It tells you</p> <p>13 the name of the item and the quantity -- the quantity</p> <p>14 of the item and then they walk through the warehouse</p> <p>15 and put those quantities into the tote and set it aside</p> <p>16 to be shipped; is that correct?</p> <p>17 MS. McENROE: Objection to form.</p> <p>18 THE WITNESS: That's their step in it, yes.</p> <p>19 BY MR. PIFKO:</p> <p>20 Q. Okay. When a paper order comes in and it</p> <p>21 exceeds the threshold, how does the order selector know</p> <p>22 that the order is exceeding the threshold?</p> <p>23 MS. McENROE: Objection to form.</p> <p>24 THE WITNESS: There's -- they went through</p> <p>25 training, and there was sheets hanging up through</p>	<p style="text-align: right;">Page 36</p> <p>1 they're supposed to go to?</p> <p>2 A. Correct.</p> <p>3 Q. And then when they get to the specific item,</p> <p>4 there's an LED display that has the number of units</p> <p>5 they're supposed to pick?</p> <p>6 A. Yes.</p> <p>7 Q. Does -- if they're picking an item that has a</p> <p>8 threshold associated with it, how do they know what the</p> <p>9 threshold is in the pick-to-light system?</p> <p>10 MS. McENROE: Objection to form.</p> <p>11 THE WITNESS: The same way I described</p> <p>12 earlier, it was marked on the pick site.</p> <p>13 BY MR. PIFKO:</p> <p>14 Q. Okay. Does the LED display automatically</p> <p>15 reduce itself to the threshold if the order comes in</p> <p>16 exceeding the threshold?</p> <p>17 MS. McENROE: Objection to form.</p> <p>18 THE WITNESS: No. The picker would reduce</p> <p>19 the -- adjust the order down.</p> <p>20 BY MR. PIFKO:</p> <p>21 Q. Okay. So they walk up, and let's say that the</p> <p>22 threshold is a thousand -- is a thousand but the order</p> <p>23 is for 2,000. They go up. The screen will read 2,000,</p> <p>24 but there's a sign that says only put a thousand in</p> <p>25 there, and then they press a button to make it go down</p>
<p style="text-align: right;">Page 35</p> <p>1 the pick area of the threshold amounts, and there</p> <p>2 was an amount of -- there was actually on the pick</p> <p>3 area what the threshold was. So there would be a</p> <p>4 sticker next to it.</p> <p>5 BY MR. PIFKO:</p> <p>6 Q. Okay. So let's say, for example, there's a</p> <p>7 hydrocodone combination product that's in an order, and</p> <p>8 the piece of paper printed out says a thousand units of</p> <p>9 this item, and you -- the order selector goes to the</p> <p>10 area where that product is. There's a label on there</p> <p>11 that says you can't fill an order higher than this many</p> <p>12 units; is that correct?</p> <p>13 MS. McENROE: Objection to form.</p> <p>14 THE WITNESS: Yes.</p> <p>15 BY MR. PIFKO:</p> <p>16 Q. Okay. What about when there's a pick-to-light</p> <p>17 system, let's talk about how that works.</p> <p>18 A. The same thing.</p> <p>19 Q. Okay. So when -- how does an order come in</p> <p>20 through the pick-to-light system?</p> <p>21 A. They scan a label, which was the order label,</p> <p>22 and it would light up the pick-to-light system.</p> <p>23 Q. Okay. And so the pick-to-light system has</p> <p>24 lights on an item on the shelf. So when they're</p> <p>25 walking down, they see which shelf -- which shelves</p>	<p style="text-align: right;">Page 37</p> <p>1 to a thousand; is that correct?</p> <p>2 A. Yes.</p> <p>3 Q. So you said there was training that was</p> <p>4 provided for the order selector; is that correct?</p> <p>5 A. Yes.</p> <p>6 Q. Did you ever attend any of the training</p> <p>7 sessions?</p> <p>8 A. No.</p> <p>9 Q. Do you know if there was written materials</p> <p>10 that were provided to the order selectors in connection</p> <p>11 with the training?</p> <p>12 A. Yes.</p> <p>13 Q. Have you ever seen the training materials that</p> <p>14 were provided to them?</p> <p>15 A. Yes. I mean, not since I've been employed or</p> <p>16 worked in Rite-Aid, but yes. There was -- there was</p> <p>17 documents that existed.</p> <p>18 Q. Was it a single manual for being an order</p> <p>19 selector, or do you know if it was various different</p> <p>20 documents?</p> <p>21 A. It was various documents.</p> <p>22 Q. Did you ever draft any portions of those</p> <p>23 documents?</p> <p>24 A. Not of the training documents, no.</p> <p>25 Q. Okay. But you're familiar with them?</p>

<p style="text-align: right;">Page 38</p> <p>1 A. I remember seeing them, yes.</p> <p>2 Q. And do you believe that they had portions of</p> <p>3 them that explained how the thresholds functioned?</p> <p>4 A. Yes.</p> <p>5 Q. And in the training manual, it told them if an</p> <p>6 item exceeded the threshold, that they should only put</p> <p>7 the amount up to the threshold in the tote; is that</p> <p>8 correct?</p> <p>9 MS. McENROE: Objection to form.</p> <p>10 THE WITNESS: I don't recall the exact</p> <p>11 language that was in the SOPs.</p> <p>12 BY MR. PIFKO:</p> <p>13 Q. But that's your understanding of what the</p> <p>14 process was; is that correct?</p> <p>15 MS. McENROE: Objection to form.</p> <p>16 THE WITNESS: Yes. I know they went through</p> <p>17 training on how the thresholds worked when pulling</p> <p>18 controlled -- C2 -- C3s. Excuse me.</p> <p>19 BY MR. PIFKO:</p> <p>20 Q. And just to be clear, I know what you mean;</p> <p>21 but for the record, when you say "C2," that's a</p> <p>22 Schedule 2 controlled substance or "C3," that's a C3</p> <p>23 controlled substance; is that correct?</p> <p>24 A. Correct.</p> <p>25 Q. Do you know, if an order exceeded a threshold,</p>	<p style="text-align: right;">Page 40</p> <p>1 ask about the order that exceeded the threshold?</p> <p>2 MS. McENROE: Objection to form.</p> <p>3 THE WITNESS: They were doing their due</p> <p>4 diligence and research to find out why the order</p> <p>5 exceeded the threshold.</p> <p>6 BY MR. PIFKO:</p> <p>7 Q. And then they would write that down in the</p> <p>8 document?</p> <p>9 A. In the log.</p> <p>10 Q. Okay. What's the log called?</p> <p>11 A. I don't recall the name of the log.</p> <p>12 Q. Have you ever heard of a thing called --</p> <p>13 something called a threshold log?</p> <p>14 A. Yes. I mean --</p> <p>15 Q. Is that --</p> <p>16 A. I don't know if that was the exact name of the</p> <p>17 log, but yes, there was a threshold log.</p> <p>18 Q. Can you think of any other documentation that</p> <p>19 you recall seeing in connection with thresholds?</p> <p>20 MS. McENROE: Objection to form.</p> <p>21 THE WITNESS: No.</p> <p>22 BY MR. PIFKO:</p> <p>23 Q. So the -- these calls that were made, they</p> <p>24 were kept in some sort of log. It may be the threshold</p> <p>25 log, but it may be a different name of a document; is</p>
<p style="text-align: right;">Page 39</p> <p>1 if there was any -- okay. So an order selector only</p> <p>2 fills the order up to the threshold, correct?</p> <p>3 MS. McENROE: Objection to form.</p> <p>4 THE WITNESS: Correct.</p> <p>5 BY MR. PIFKO:</p> <p>6 Q. Is there any other process that comes into</p> <p>7 play when an order comes in that exceeds a threshold?</p> <p>8 A. The order selector kept a log. They would</p> <p>9 call the store and confirm with the store, and they</p> <p>10 would do research, and there was a log of every one of</p> <p>11 those incidents.</p> <p>12 Q. So every time an order exceeded a threshold,</p> <p>13 the policy was that the order selector needed to call</p> <p>14 the store?</p> <p>15 A. Yes.</p> <p>16 Q. And they were -- they were obligated to write</p> <p>17 down that they called the store?</p> <p>18 A. Yes.</p> <p>19 Q. Do you know, was there a policy on what types</p> <p>20 of information they were supposed to obtain when they</p> <p>21 called the store when an order exceeded a threshold?</p> <p>22 A. I don't recall, but they would do research</p> <p>23 with the store and log actually who they talked to at</p> <p>24 the store and any conversation they had.</p> <p>25 Q. But you don't know what they were supposed to</p>	<p style="text-align: right;">Page 41</p> <p>1 that correct?</p> <p>2 A. It was kept in a log. I don't remember the</p> <p>3 exact name of the log.</p> <p>4 Q. Was that a computerized log?</p> <p>5 A. It was a handwritten log.</p> <p>6 Q. Okay. And was that log sent to somebody?</p> <p>7 A. It was kept on file at the DC; and, if there</p> <p>8 was a DC audit from the DEA or any regulator, they</p> <p>9 would have a file showing their -- their process for</p> <p>10 the thresholds.</p> <p>11 Q. Was that log kept in some centralized file</p> <p>12 area in the distribution center?</p> <p>13 A. Yes.</p> <p>14 Q. Okay. Do you know the process by which the --</p> <p>15 you said the logs -- so an order selector is supposed</p> <p>16 to make a phone call, talk with the store and take</p> <p>17 notes, and then they write it down in a log, correct?</p> <p>18 MS. McENROE: Objection to form.</p> <p>19 THE WITNESS: Correct.</p> <p>20 BY MR. PIFKO:</p> <p>21 Q. And then what's the -- how does that -- do you</p> <p>22 know how that paper then gets sent to the central</p> <p>23 filing area in the distribution center?</p> <p>24 A. I do not.</p> <p>25 Q. Okay. Do you believe it would have been sent</p>

<p style="text-align: right;">Page 42</p> <p>1 somewhere daily or weekly or monthly? Do you have any  2 idea of the periods?  3 MS. McENROE: Objection to form.  4 THE WITNESS: There was a handwritten log that  5 also -- I mean, there's multiple logs because  6 there was logs that would generate for -- for  7 ARCOS reasons and things like that.  8 So you may have had duplicate information that  9 could have been on the threshold log that appeared  10 on other logs, but the intent for that log was  11 kept in a file at the DC.  12 BY MR. PIFKO:  13 Q. Do you know if there were occasions when --  14 did an order selector have the ability to decide not to  15 ship an order after they made a call to the store?  16 A. I don't recall an incident.  17 Q. You don't recall if that was the process?  18 A. If that was in the process, that it was deemed  19 suspicious, they would not ship.  20 Q. Okay. So the order selector, under the  21 company's policies, had the discretion to decide, based  22 on the conversation, not to ship an order?  23 A. They would confirm with, after talking to the  24 store, they would also confirm with corporate, which  25 would be government affairs.</p>	<p style="text-align: right;">Page 44</p> <p>1 down. We talked about that, correct?  2 A. Then they kept a log.  3 Q. Okay. And then on some occasions but not all  4 occasions they could then call someone in government  5 affairs?  6 MS. McENROE: Objection to form.  7 THE WITNESS: If they thought the order was  8 suspicious.  9 BY MR. PIFKO:  10 Q. Okay. So if, based on their conversation with  11 the store, they felt that an order was suspicious, it  12 was the company's policy that they then needed to call  13 someone in government affairs?  14 A. If an order would have been found suspicious,  15 then yes, they would have contacted corporate.  16 Q. Based on the order selector's decision; is  17 that correct?  18 MS. McENROE: Objection to form.  19 THE WITNESS: If the order -- after the order  20 selector did the research with the store, if it  21 was -- if it needed to get escalated to the next  22 level by being suspicious, if it was suspicious,  23 then they would contact government affairs.  24 BY MR. PIFKO:  25 Q. What I'm trying to ask is if it was the order</p>
<p style="text-align: right;">Page 43</p> <p>1 Q. Do you have an understanding about the process  2 by which an order selector would communicate with  3 someone at government affairs?  4 A. I -- I don't recall the exact process.  5 Q. Okay. So were they supposed to call someone  6 at government affairs after an order exceeded  7 thresholds?  8 A. No. They -- because not all orders that  9 exceeded threshold were suspicious orders. These  10 orders were already being calculated based on the store  11 history when sent to the DC.  12 So the order -- the orders coming to the DCs  13 were already adjusted on the store's volume, and then  14 if an order exceeded threshold, it did not make the  15 order automatically suspicious. So that's why the  16 picker was calling the store to investigate. So this  17 was kind of our second layer of reviewing an order.  18 Q. Okay. But -- so it's your understanding that  19 on every single occasion that an order exceeded  20 threshold, the order selector was supposed to make a  21 call to the store?  22 A. When an order exceeded a threshold, they would  23 do the research to find out why the order was exceeding  24 the threshold.  25 Q. And then they were supposed to write that</p>	<p style="text-align: right;">Page 45</p> <p>1 selector's decision as to whether -- so you think  2 there's a fork in the road, an order exceeds a  3 threshold. They make a call to the store. They can  4 either do nothing or they can call government affairs,  5 correct?  6 MS. McENROE: Objection to form.  7 THE WITNESS: Most of the calls to the stores  8 could be if an order was fat-fingered at the  9 store, they typed an error. So those type of  10 conversations would not be suspicious orders; and  11 again, these were our internal stores.  12 We knew these stores very well. We'd pull  13 these store orders weekly for most stores. So we  14 had the relationship with the stores. These  15 weren't -- we weren't shipping to stores outside  16 our network. I mean, we were well aware of these  17 stores.  18 So at that level, a decision could be made if  19 it was just a store error; and also again, these  20 orders were already being calculated when they  21 were sent to the DC. This was just a second layer  22 that we were using to bring the threshold down.  23 BY MR. PIFKO:  24 Q. Okay. Fair enough. I'm just trying to -- I'm  25 just trying to understand. If you think of, like, a</p>



<p style="text-align: right;">Page 46</p> <p>1 decision tree: So order exceeds the threshold. Then  2 the next thing that the order selector must do was call  3 the store, correct?  4 MS. McENROE: Objection to form.  5 THE WITNESS: I mean, I can't speak to that.  6 That -- if an -- yes.  7 BY MR. PIFKO:  8 Q. Okay. So it's the company's policy that if an  9 order exceeded threshold, they must call -- the order  10 selector must call the store; is that correct?  11 MS. McENROE: Object to form.  12 THE WITNESS: I can't recall exactly what was  13 written in the procedure.  14 BY MR. PIFKO:  15 Q. Okay. So there may be occasions when an order  16 could exceed the threshold and they didn't call the  17 store?  18 MS. McENROE: Object to the form.  19 THE WITNESS: No. I mean, it was in the  20 procedure.  21 BY MR. PIFKO:  22 Q. Okay.  23 A. I --  24 Q. That's what they're supposed to do; is that  25 correct?</p>	<p style="text-align: right;">Page 48</p> <p>1 what I'm explaining the process to you.  2 BY MR. PIFKO:  3 Q. Right. And I'm just trying to understand. So  4 then they call the store, and they have -- they can  5 then just decide that they're going to ship the  6 order --  7 A. No, we never --  8 Q. -- up to the threshold, or they can call  9 government affairs and say I think this is  10 suspicious --  11 MS. McENROE: Objection.  12 BY MR. PIFKO:  13 Q. -- after they talk to the store; is that  14 correct?  15 MS. McENROE: Objection to form.  16 BY MR. PIFKO:  17 Q. Is there any other option they could do?  18 MS. McENROE: Objection to form.  19 THE WITNESS: All the orders were brought down  20 to the threshold.  21 BY MR. PIFKO:  22 Q. Right. That's what I mean. They could ship  23 it up to what the threshold is?  24 MS. McENROE: Objection to form.  25 THE WITNESS: Correct. I mean, if the order</p>
<p style="text-align: right;">Page 47</p> <p>1 A. Yes.  2 Q. Okay. And then after they call the store,  3 they have two choices: They can call someone in  4 government affairs and say that they think the order is  5 suspicious, or they can do nothing and proceed to fill  6 and ship the order so long as it's under the threshold;  7 is that correct?  8 MS. McENROE: Objection to form.  9 THE WITNESS: Again, if an order is above the  10 threshold, it did not make the order suspicious.  11 They -- they were trying to find out, confirm with  12 the store if that quantity was what they really  13 needed.  14 BY MR. PIFKO:  15 Q. Right. And I'm just -- I'm just -- all I'm  16 trying to get you to tell me is what the process is.  17 Okay? So I understand we have an order that exceeded  18 the threshold. Then the order selector's job is to --  19 they're supposed to call the store in that situation,  20 correct?  21 MS. McENROE: Objection to form.  22 THE WITNESS: I'm trying to explain  23 conceptually what we did, but this is six, seven  24 years ago, so the exact steps are -- I mean, I  25 don't recall the exact steps. So conceptually is</p>	<p style="text-align: right;">Page 49</p> <p>1 was above the threshold, they brought it down to  2 the threshold, and we'd create a log, and they'd  3 call the stores to confirm the order quantity.  4 If, at that point, an order was suspicious for  5 some reason, which, in my time in this position,  6 we never had a suspicious order, then it would be  7 routed to the proper channels.  8 BY MR. PIFKO:  9 Q. Okay. And if it wasn't deemed to be  10 suspicious after that call, they would ship it in the  11 quantity that was -- did not exceed the threshold; is  12 that correct?  13 MS. McENROE: Objection to form.  14 THE WITNESS: They would ship it in the  15 quantity that was already calculated by a  16 replenishment system saying that's what the store  17 needed.  18 BY MR. PIFKO:  19 Q. Okay. So long as that didn't exceed the  20 threshold?  21 A. Correct.  22 Q. Could they, based on that conversation,  23 override the threshold and decide, I talked to the  24 store, I need to fill this order beyond the threshold?  25 A. No.</p>



<p>Page 50</p> <p>1 Q. You've talked a little bit about -- okay. I 2 want to back up. Do you know if the order selectors 3 were given training on how to make a decision about 4 whether an order was suspicious? 5 A. Yes. There was a DC procedure. 6 Q. How -- what was the DC procedure on that? 7 A. I don't recall. 8 Q. Was there -- was it in writing somewhere? 9 A. Yes. 10 Q. Okay. So there was some sort of training and 11 written procedure that instructed order selectors on 12 how, when making a call to a pharmacist, to decide if 13 an order was suspicious? 14 A. They had a procedure for suspicious order 15 monitoring, yes. 16 Q. Your answer was a little -- a little different 17 than my question and it's -- 18 A. I don't recall the details of the -- in the 19 procedure of suspicious monitoring, but there was a 20 procedure for the associate on identifying suspicious 21 orders. 22 Q. Okay. So there's some written procedure that 23 told an order selector how -- what factors they should 24 consider in deciding whether an order is suspicious? 25 A. Again, I don't recall what -- the exact</p> <p>Page 51</p> <p>1 details of that procedure, but yes, there was a 2 procedure for the associate on suspicious order 3 monitoring. 4 Q. And to your knowledge, the entire time that 5 you worked at Rite-Aid, there was no order that had 6 been found to be suspicious? 7 A. While I was in my position, there was no 8 suspicious orders reported. 9 Q. Okay. Let's talk about you. You talked 10 about -- I don't remember exactly the language that you 11 used, but we were talking about the process by which an 12 order is -- is made. Do you have an understanding 13 about how an order comes through the -- starting at the 14 store? 15 MS. McENROE: Objection to form. 16 THE WITNESS: I don't know -- I do not know 17 how the store -- I'm familiar with the concept of 18 a replenishment system, but I do not know the 19 details of how a store order was placed. 20 BY MR. PIFKO: 21 Q. Okay. Do you have an understanding that it 22 was automated? 23 A. Yes. 24 Q. Okay. Do you agree that the replenishment 25 system looked at the demand of items that were being</p>	<p>Page 52</p> <p>1 sold and made a comparison to inventory on hand and 2 then projecting based on what was being sold, put in an 3 order for the amount it believed was necessary to 4 continue supply; is that correct? 5 MS. McENROE: Objection to form. 6 THE WITNESS: Yes. I mean, there was a 7 calculation that was looking at on-hand and 8 dispensing that would generate a suggested order 9 quantity. 10 BY MR. PIFKO: 11 Q. And so on occasions, that suggested order 12 quantity could exceed the threshold; is that correct? 13 A. Yes. 14 Q. Do you know any other factors that the 15 ordering system used to -- other than measuring the 16 demand for items and the amount going out the door 17 versus inventory as far as how it selected an order 18 quantity? 19 MS. McENROE: Objection to form. 20 THE WITNESS: No. 21 BY MR. PIFKO: 22 Q. Do you know if the order system took into 23 account any other factors that occurred at a pharmacy, 24 such as whether there was theft? 25 MS. McENROE: Objection to form.</p> <p>Page 53</p> <p>1 THE WITNESS: I'm not -- I'm not familiar with 2 all the details of how the replenishment, like -- 3 BY MR. PIFKO: 4 Q. Okay. 5 MS. McENROE: Mark, we've been going just 6 about an hour, if there's a time soon that's good 7 for a break. 8 MR. PIFKO: Yeah, we can take a break in just 9 a minute. 10 BY MR. PIFKO: 11 Q. Do you know if there was documentation on how 12 the order, the replenishment system, worked? 13 A. Yes. 14 Q. Okay. We can take a break. We started at 15 what -- do you know if there was a name for the 16 documentation on how the order replenishment system 17 functioned? 18 A. I have no idea what the name would be. 19 Q. Okay. 20 THE VIDEOGRAPHER: Off the record, 10:29 a.m. 21 (Brief recess was taken.) 22 THE VIDEOGRAPHER: On the record, 10:51 a.m. 23 (Rite-Aid Belli Exhibit No. 2 was marked for 24 identification.) 25 BY MR. PIFKO:</p>
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<p style="text-align: right;">Page 54</p> <p>1 Q. I'm handing you what's marked as Exhibit 2.</p> <p>2 A. Okay.</p> <p>3 Q. For the record, Exhibit 2 is a printout of</p> <p>4 your LinkedIn profile, and I really just had a quick</p> <p>5 question.</p> <p>6 A. Okay.</p> <p>7 Q. Take your time to look at it and make yourself</p> <p>8 comfortable that it's accurate. What I want to know</p> <p>9 is, earlier we kind of talked about your work history</p> <p>10 and your education.</p> <p>11 What I want to know is, is this Exhibit 2</p> <p>12 correct? Is it more correct than your memory? Can we</p> <p>13 rely on this as documentation of what you did, the time</p> <p>14 periods, et cetera?</p> <p>15 MS. McENROE: Objection to form.</p> <p>16 THE WITNESS: No, because this says it was</p> <p>17 Rite-Aid's employment the whole time. Whereas,</p> <p>18 actually, I started with Eckerd and then Brooks</p> <p>19 Eckerd and then Rite-Aid. So it was through</p> <p>20 multiple buyouts, but the reason just Rite-Aid is</p> <p>21 listed is because it's easier to show when looking</p> <p>22 for employment --</p> <p>23 BY MR. PIFKO:</p> <p>24 Q. Okay.</p> <p>25 A. -- but no, this is --</p>	<p style="text-align: right;">Page 56</p> <p>1 Tree job, is that accurate?</p> <p>2 A. Yes. That was my first job --</p> <p>3 Q. Okay.</p> <p>4 A. -- when I graduated.</p> <p>5 Q. And then so when you started, you actually</p> <p>6 worked -- so it says here that you started in 2004, but</p> <p>7 you believe it was some iteration of Eckerd?</p> <p>8 A. It was Eckerd.</p> <p>9 Q. Okay. So that was for Eckerd. The entire</p> <p>10 time that was Eckerd?</p> <p>11 A. Yes.</p> <p>12 Q. Okay.</p> <p>13 A. Well, at some point -- I don't remember when</p> <p>14 Brooks bought Eckerd, but yeah, it was somewhere during</p> <p>15 that position.</p> <p>16 Q. Okay.</p> <p>17 A. I don't recall the year.</p> <p>18 Q. Roughly 2004. Does that sound right?</p> <p>19 MS. McENROE: Objection to form.</p> <p>20 THE WITNESS: I don't recall.</p> <p>21 BY MR. PIFKO:</p> <p>22 Q. Okay.</p> <p>23 A. I -- I remember being in that position when it</p> <p>24 happened, but --</p> <p>25 Q. Okay. So at some point in that first job,</p>
<p style="text-align: right;">Page 55</p> <p>1 Q. We'll fix that, but then --</p> <p>2 A. Okay.</p> <p>3 Q. -- any other issues that you want to -- let's</p> <p>4 go back to, you know, there's -- it says, on the bottom</p> <p>5 right-hand corner, it has the page out of 4.</p> <p>6 A. Okay.</p> <p>7 Q. So let's go -- the last page is basically</p> <p>8 blank. The page 3 of 4 is the earlier thing, your</p> <p>9 education there; is that correct?</p> <p>10 MS. McENROE: You're talking about the</p> <p>11 University of Tennessee Knoxville?</p> <p>12 THE WITNESS: Tennessee. Yes.</p> <p>13 BY MR. PIFKO:</p> <p>14 Q. Okay. That reflects your degree and the time</p> <p>15 period that you attended that university?</p> <p>16 A. Yes.</p> <p>17 Q. Okay. Then you've got an internship here; is</p> <p>18 that correct?</p> <p>19 A. I did -- that internship was during -- I took</p> <p>20 a semester off. So that's why I stated three and a</p> <p>21 half years.</p> <p>22 Q. Okay.</p> <p>23 A. So I took a semester off to do that</p> <p>24 internship, and then I came back and graduated.</p> <p>25 Q. Okay. The next job that you had, the Dollar</p>	<p style="text-align: right;">Page 57</p> <p>1 Brooks and Eckerd had some sort of corporate</p> <p>2 transaction, and it was Brooks Eckerd after that?</p> <p>3 A. Correct.</p> <p>4 Q. And then so the next job up, that was for</p> <p>5 Brooks Eckerd?</p> <p>6 A. Correct.</p> <p>7 MS. McENROE: And for clarity of the record,</p> <p>8 that's the operation manager position?</p> <p>9 MR. PIFKO: Yes.</p> <p>10 BY MR. PIFKO:</p> <p>11 Q. And then any other changes to the -- other</p> <p>12 than that, is it accurate, what's on there?</p> <p>13 MS. McENROE: Objection to form.</p> <p>14 THE WITNESS: Yes.</p> <p>15 BY MR. PIFKO:</p> <p>16 Q. Okay. Then the senior manager job, was that</p> <p>17 for Rite-Aid or still for Brooks Eckerd?</p> <p>18 A. For Brooks Eckerd.</p> <p>19 Q. Any other changes to that?</p> <p>20 A. No.</p> <p>21 Q. Okay. Then going up to the operations manager</p> <p>22 job at the bottom of 2 of 4.</p> <p>23 A. Yes.</p> <p>24 Q. Is that accurate?</p> <p>25 A. The operations manager, 2007 to 2009?</p>



Page 62

Page 64

1 A. Correct.

2 Q. So there's five?

3 A. Yes.

4 Q. And each one of those has a DEA coordinator?

5 A. Yes.

6 Q. Do you remember the names of any of the DEA

7 coordinators?

8 A. Marian Wood was for Perryman. Barb, I can't

9 think -- remember her last name -- was for Woodland.

10 Tuscaloosa had two. Bill Walker was the most recent,

11 and prior to that, Patricia. Liverpool was Kim. I

12 don't remember Charlotte. I don't recall.

13 Q. If it comes to you, you can tell me. Do you

14 know what the job responsibilities were for the DEA

15 coordinator?

16 A. I mean, they had a list of responsibilities.

17 You need to be more specific. I mean, they were --

18 they were responsible for -- to be -- I mean, they

19 ensured compliance with the DEA in the DC.

20 Q. As senior director of regulatory compliance,

21 did they report to you?

22 A. They did not.

23 Q. Who did they report to?

24 A. The pharmacy manager in the DC.

25 Q. Did you interact with them regularly?

Row	Bar Length (approx. % of total width)
1	85
2	95
3	15
4	90
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6	90
7	100
8	98
9	98
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25	75
26	95
27	85

Page 63

Page 65

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Row	Bar Length (approx. % of total width)
1	95
2	35
3	35
4	95
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7	65
8	35
9	65
10	85
11	98
12	85
13	95
14	95
15	30
16	90
17	98
18	82
19	95
20	95
21	95
22	95
23	95
24	68
25	92
26	85
27	98

Page 66

[REDACTED]

Page 67

[REDACTED]

20 BY MR. PIFKO:

21 Q. Did you ever meet -- did you ever meet any of

22 the people who were order selectors?

23 A. Yes.

24 Q. "Yes"?

25 A. Yes.

Page 68

1 Q. What was the circumstances under which you met

2 with those people?

3 A. Visiting the DC. I mean, I worked in DC

4 operations for a long time. So when I visited DCs, I

5 would visit different areas of the DC, and obviously I

6 would visit with the pharmacy areas and meet the

7 pickers, and we didn't sit down and have full

8 conversations. I knew a lot of them, but it was like a

9 hello and how are things going type thing.

10 Q. Have you visited all five distribution centers

11 that distributed controlled substances?

12 A. Yes.

13 Q. Throughout your time at Rite-Aid or only when

14 you were senior director of regulatory compliance?

15 A. Throughout my time at Rite-Aid.

16 (Rite-Aid Belli Exhibit No. 3 was marked for

17 identification.)

18 BY MR. PIFKO:

19 Q. I'm handing you what's marked as Exhibit 3.

20 Take a moment to review that. For the record, Exhibit

21 3 is a three-page document Bates labeled

22 Rite\_Aid\_OMDL\_0016717 through 719. Let me know when

23 you're done reviewing that.

24 A. Okay.

[REDACTED]

Page 69

[REDACTED]

Page 70

[REDACTED]

Page 72

[REDACTED]

Page 71

[REDACTED]

Page 73

[REDACTED]



Page 74

Page 76

12 (Rite-Aid Belli Exhibit No. 4 was marked for  
13 identification.)  
14 BY MR. PIFKO:  
15 Q. I'm handing you what's marked Exhibit 4. Take  
16 a moment to review that. It's marked also a three-page  
17 document, Rite\_Aid\_OMDL\_0015079 through 15081. Let me  
18 know when you're done reviewing that document.  
19 A. Okay.

Page 75

Page 77

25 BY MR. PIFKO:

Page 78

[REDACTED]

Page 80

[REDACTED]

Page 79

[REDACTED]

10 (Rite-Aid Belli Exhibit No. 5 was marked for  
11 identification.)  
12 BY MR. PIFKO:  
13 Q. I'm handing you what's marked as Exhibit 5.  
14 Take a moment to review that. Let me know when you're  
15 done. For the record, Exhibit 5 is a several-page  
16 document Bates labeled Rite\_Aid\_OMDL\_0014035, and then  
17 it's got an attachment which was a native spreadsheet  
18 which was Bates labeled Rite\_Aid\_OMDL\_001436.  
19 All the native printouts have the same Bates  
20 number because it's native, so there weren't different  
21 pages. Let me know when you're done reviewing that.

[REDACTED]

Page 81

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Page 82

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Page 84

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Page 83

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Page 85

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Page 86

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Page 88

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Page 87

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Page 89

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Page 90

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Page 92

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Page 91

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Page 93

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Page 94

[REDACTED]

Page 96

[REDACTED]

Page 95

[REDACTED]

Page 97

[REDACTED]

11 (Rite-Aid Belli Exhibit No. 6 was marked for

12 identification.)

13 BY MR. PIFKO:

14 Q I'm handing you what's marked as Exhibit 6.

15 For the record, Exhibit 6 is a document Bates labeled

16 Rite\_Aid\_OMDL\_0014727 through 14802. Can you take --

17 the earlier pages are an E-mail, and then it's

18 attaching a document that's entitled RITE AID

19 DISTRIBUTION CENTER DEA REGULATORY GUIDELINES.

[REDACTED]



Page 98

[REDACTED]

Page 100

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Page 99

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Page 101

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Page 103

Page 105

Page 106

[REDACTED]

Page 108

[REDACTED]

Page 107

[REDACTED]

Page 109

[REDACTED]

Page 110

[REDACTED]

Page 112

[REDACTED]

Page 111

[REDACTED]

Page 113

[REDACTED]

Page 114

1 not ship it, correct?  
2 A. Yes.  
3 Q. To your knowledge during your tenure there, no  
4 orders were ever reported as suspicious, correct?  
5 MS. McENROE: Objection to form.  
6 THE WITNESS: While I was the -- in my last  
7 position there, no.  
8 BY MR. PIFKO:  
9 Q. How about before that, do you know?  
10 A. I don't know.  
11 Q. It's around noon. We can take a lunch break.  
12 MS. KELLY: That's fine.  
13 MS. McENROE: Yeah. It's up to you.  
14 THE VIDEOGRAPHER: Off the record, 12:05 p.m.  
15 (Luncheon recess.)  
16 THE VIDEOGRAPHER: On the record, 12:51 p.m.  
17 BY MR. PIFKO:  
18 Q. Welcome back. I want to ask you a question,  
19 going back to Exhibit 5, if you want to put that in  
20 front of you real quick.  
21 A. Okay.  
22 Q. Do you remember this was the monthly --  
23 A. Yes.  
24 Q. -- orders above threshold that you received,  
25 correct?

Page 115

1 [REDACTED]  
2 [REDACTED]  
3 [REDACTED]  
4 [REDACTED]  
5 (Rite-Aid Belli Exhibit No. 7 was marked for  
6 identification.)  
7 BY MR. PIFKO:  
8 Q. I'm handing you what's marked as Exhibit 7.  
9 A. Okay.  
10 Q. Take a minute to look at this. Do you recall  
11 before the break that we were looking at Exhibit 6 at  
12 the -- Rite-Aid's DEA regulatory guidelines? And for  
13 the record, Exhibit 7 is another earlier version of the  
14 regulatory guidelines Bates labeled  
15 Rite\_Aid\_OMDL\_0014379 through 14452.  
16 [REDACTED]  
17 [REDACTED]  
18 [REDACTED]  
19 [REDACTED]  
20 [REDACTED]  
21 [REDACTED]  
22 [REDACTED]  
23 [REDACTED]  
24 [REDACTED]  
25 [REDACTED]

Page 116

1 [REDACTED]  
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6 [REDACTED]  
7 [REDACTED]  
8 [REDACTED]  
9 [REDACTED]  
10 [REDACTED]  
11 [REDACTED]  
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Page 117

1 [REDACTED]  
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22 [REDACTED]  
23 [REDACTED]  
24 [REDACTED]  
25 [REDACTED]:

Page 118

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Page 120

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Page 119

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Page 121

[REDACTED]

25 (Rite-Aid Belli Exhibit No. 8 was marked for



Page 122

1 identification.)  
2 BY MR. PIFKO:  
3 Q. I'm handing you what's marked as Exhibit 8.  
4 For the record, Exhibit 8 starts with an E-mail, and  
5 it's got an attachment. It's Bates labeled  
6 Rite\_Aid\_OMDL\_0017279.  
7 The E-mail matching it then is just two pages  
8 to 17280; and then the attachment is Bates labeled  
9 Rite\_Aid\_OMDL\_0017281 because it was produced natively.  
10 All those pages have the same number on them. Do you  
11 know what, they -- some of them have the page 17289.  
[REDACTED]

Page 123

[REDACTED]

Page 124

[REDACTED]

Page 125

[REDACTED]

Page 126

[REDACTED]

Page 128

[REDACTED]

Page 127

[REDACTED]

Page 129

[REDACTED]

Page 130

Page 132

Page 131

Page 133

Page 134

[REDACTED]

Page 136

[REDACTED]

Page 135

[REDACTED]

Page 137

[REDACTED]

19 (Rite-Aid Belli Exhibit No. 9 was marked for  
20 identification.)  
21 BY MR. PIFKO:  
22 Q. I'm handing you what's marked as Exhibit 9.  
23 For the record, Exhibit 9 is a multi-page document. It  
24 says -- well, I guess the headings on different pages  
25 are different, but it's Bates labeled

Page 138

1 Rite\_Aid\_OMDL\_0021819 through 21823. Go ahead and  
2 review that, and let me know when you're done.

Page 140

Page 139

[illegible]

Page 141

15 (Rite-Aid Belli Exhibit No. 10 was marked for  
16 identification.)

17 BY MR. PIFKO:

18 Q. I'm handing you what's marked as Exhibit 10.  
19 For the record, Exhibit 10 is a two-page E-mail  
20 attaching a native document, and the Bates label is  
21 Rite\_Aid\_OMDL\_0017321, 322, and then there's a  
22 multi-page Power Point which we'll discuss and identify  
23 with the witness. Let me know when you're done  
24 reviewing the document.

25      A. Okay.

Page 142

[REDACTED]

Page 144

[REDACTED]

Page 143

[REDACTED]

Page 145

[REDACTED]

19 (Rite-Aid Belli Exhibit No. 11 was marked for  
20 identification.)  
21 BY MR. PIFKO:  
22 Q. I'm handing you what's marked as Exhibit 11.  
23 A. Okay.  
24 Q. For the record, Exhibit 11 is a three-page  
25 E-mail attaching a native document. The Bates label is



Page 150

[REDACTED]

Page 152

[REDACTED]

Page 151

[REDACTED]

Page 153

[REDACTED]



Page 154

Page 156

18 (Rite-Aid Belli Exhibit No. 13 was marked for  
19 identification.)  
20 BY MR. PIFKO:  
21 Q. I'm handing you what's marked as Exhibit 13.  
22 This is something that was marked yesterday -- or two  
23 days ago in Mr. Chapman's deposition as Exhibit 2. For  
24 the record, it's Bates labeled Rite\_Aid\_OMDL\_0038075  
25 through 77. Take a minute to review this, and let me

Page 155

Page 157

1 know when you're done.

2      A. Okay.

Row	Bar Length (approx. % of total width)
1	95
2	50
3	95
4	95
5	95
6	80
7	95
8	25
9	95
10	95
11	15
12	95
13	95
14	15
15	70
16	20
17	25
18	50
19	85
20	90
21	98
22	95
23	98
24	70
25	20
26	98
27	50
28	80

Page 160

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[REDACTED]

[REDACTED]


[REDACTED]

20           (Rite-Aid Belli Exhibit No. 14 was marked for  
21 identification.)  
22 BY MR. PIFKO:  
23 Q. I'm handing you what's marked as Exhibit 14.  
24 It's a one-page document Bates labeled  
25 Rite\_Aid\_OMDL\_0017328. It's a native spreadsheet page.

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1 Let me know when you're done looking at this.

2 A. Okay.



The image shows a vertical list of 20 horizontal black bars. The bars vary in length, with the first bar being the longest and the last bar being the shortest. The bars are arranged in a column, with the first bar at the top and the last bar at the bottom. The bars are solid black and have no text or other markings on them.

Page 162

[REDACTED]

Page 164

[REDACTED]

22 (Rite-Aid Belli Exhibit No. 15 was marked for  
23 identification.)  
24 BY MR. PIFKO:  
25 Q. All right. I'm handing you what's marked as

Page 163

[REDACTED]

Page 165

1 Exhibit 15. This is a document that was also  
2 introduced yesterday as Exhibit 7. Take a minute to  
3 review it. For the record, it's Bates labeled  
4 Rite\_Aid\_OMDL\_0040184 through 0040198. Let me know  
5 when you're done.  
6 A. Okay.

[REDACTED]

Page 166

[REDACTED]

Page 168

[REDACTED]

Page 167

[REDACTED]

Page 169

[REDACTED]

Page 170

Page 172

Row	Bar Length (approx. % of total width)
1	10
2	25
3	100
4	90
5	45
6	80
7	95
8	95
9	75
10	30
11	85
12	40
13	80
14	100
15	100
16	90
17	95
18	60
19	95
20	95
21	100
22	30
23	90
24	95
25	85

Response	Percentage
U.S. should take action to address climate change	95%
U.S. should take strong action to address climate change	90%
U.S. should take moderate action to address climate change	5%
U.S. should not take action to address climate change	5%

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Page 173

Response	Percentage
U.S. should take action to address climate change	95%
U.S. should not take action to address climate change	5%
U.S. should take action to address climate change (breakdown)	90%
U.S. should not take action to address climate change (breakdown)	10%

Row	Bar Length (approx. % of total width)
1	15
2	85
3	20
4	95
5	100
6	45
7	75
8	90
9	95
10	100
11	95
12	95
13	10
14	30
15	85
16	90
17	30
18	75
19	85
20	95
21	25
22	90

Page 174

Page 176

1 review that, and let me know when you're done.

2     A. Okay.

Page 175

Page 177

18 (Rite-Aid Belli Exhibit No. 16 was marked for  
19 identification.)  
20 BY MR. PIFKO:  
21 Q. I'm handing you what's marked as Exhibit 16.  
22 It is a document that was also admitted yesterday as  
23 Exhibit 3. I'm sorry. I keep saying "yesterday." In  
24 the Chapman deposition as Exhibit 3. It's  
25 Rite\_Aid\_OMDL\_0014948 through 51. Take a minute to

Page 178

[REDACTED]

Page 180

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Page 179

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Page 181

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Page 182

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Page 184

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Page 183

[REDACTED]

25 that you just wanted to do this to bring all your

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[REDACTED]

12 Q. Did you ever interact with any DEA agents?

13 A. Only over E-mail.

14 Q. Okay. Can you remember the names of any of

15 them?

16 A. No.

17 Q. When you say the DEA said you had a great

18 system, is that something a DEA agent told you?

19 A. It was in an audit at the Perryman

20 Distribution Center.

21 Q. Do you remember the name of that DEA agent?

22 A. No.

23 Q. Did you meet -- did you meet with them

24 personally?

25 A. No, but we have a log of the visit and their



<sup>1</sup> report at the Perryman Distribution Center.

2 Q. So that's not a comment that you heard  
3 directly yourself?

4     A. No, but it's -- it's in the log from the visit  
5 from the DEA.

6 Q. That -- who wrote -- who wrote the log?

7     A. I can't -- I don't remember who wrote the log,  
8     who was at the DC.

9 Q. Someone at Rite-Aid?

10 A. Someone at Rite-Aid, yes.

Row	Bar Length (approx. % of total width)
1	100
2	50
3	15
4	95
5	10
6	20
7	70
8	15
9	90
10	95
11	100
12	90
13	55
14	15
15	95
16	10
17	70
18	100
19	95
20	90
21	100
22	10
23	90
24	40
25	90

A horizontal bar chart with 20 rows. Each row consists of a small square icon on the left and a black bar of varying length. The bars represent different categories or values, with lengths ranging from approximately 10% to 100% of the chart's width.

Row	Bar Length (approx. %)
1	85
2	30
3	35
4	88
5	85
6	100
7	82
8	92
9	85
10	75
11	68
12	45
13	65
14	35
15	88
16	88
17	85
18	85
19	92
20	92
21	75
22	75
23	98
24	15
25	35
26	88
27	25

Page 190

[REDACTED]

Page 192

[REDACTED]

Page 191

[REDACTED]

Page 193

[REDACTED]

Page 194

[REDACTED]

Page 196

[REDACTED]

Page 195

[REDACTED]

Page 197

[REDACTED]

24 MS. McENROE: Mark, we're hoping to take a  
25 break when you get a chance when it's a good time.

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1 MR. PIFKO: Sure. We can take a -- we can  
2 take a break now.  
3 THE VIDEOGRAPHER: Off the record, 3:10 p.m.  
4 (Brief recess was taken.)  
5 THE VIDEOGRAPHER: On the record, 3:23 p.m.  
6 BY MR. PIFKO:

Age Group	Percentage of Respondents
18-29	90%
30-49	85%
50-64	80%
65+	60%

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Page 201

[illegible]

Response	Percentage
U.S. should take action	10%
U.S. should take action	20%
U.S. should take action	30%
U.S. should take action	40%
U.S. should take action	50%
U.S. should take action	60%
U.S. should take action	70%
U.S. should take action	80%
U.S. should take action	90%
U.S. should not take action	10%
U.S. should not take action	20%
U.S. should not take action	30%
U.S. should not take action	40%
U.S. should not take action	50%
U.S. should not take action	60%
U.S. should not take action	70%
U.S. should not take action	80%
U.S. should not take action	90%

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Page 204

1 BY MR. PIFKO:

2 Q. Okay. Do you remember approximately the month  
3 when you left?

4 A. October.

\_\_\_\_\_

█ [REDACTED]

\_\_\_\_\_

■ [REDACTED]

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

15 Q. That's where you live now?

16 A. Yes.

17 Q. I want to talk for a second about your  
18 preparation for the deposition.

19     A. Okay.

20 Q. I don't want to ask about any attorney-client  
21 communications. I'm sure that in preparing for this  
22 deposition, your counsel went over the concepts here;  
23 but when did you first learn about -- that you were  
24 going to be deposed in this case?

25 A. I don't recall the exact date. It was, I

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1 I would say, a few weeks ago maybe. I don't remember. I  
2 mean, I knew it was going on, but I didn't know -- I  
3 mean, I don't remember the exact date. I don't recall  
4 the exact date I was actually notified that it was  
5 happening.

6 Q. What did you do to prepare for the deposition?

7     A. Other than meeting with Kelly, John, and Elisa  
8 yesterday and once last week, nothing.

9 Q. Okay. You met with them in person yesterday?

10 A. Yes.

11 Q. Okay. And you met -- did you meet with them  
12 in person the other time?

13 A. Yes.

14 Q. Where was that meeting?

15      A. In New York.

16 Q. How long was the meeting yesterday?

17 A. Six hours. Five, six hours.

18 Q. How long was the meeting in New York?

19 A. Maybe seven or eight hours.

20 Q. Did you review documents when you met them in  
21 New York?

22 A. Yes.

23 Q. And you reviewed documents yesterday?

24 A. Yes.

25 Q. Is anyone paying you for your testimony here

<p style="text-align: right;">Page 206</p> <p>1 today?</p> <p>2 A. No.</p> <p>3 Q. Did you talk about that you were going to</p> <p>4 testify with anyone from Rite-Aid other than the</p> <p>5 lawyers?</p> <p>6 A. Current employees of Rite-Aid? No.</p> <p>7 Q. How about former employees?</p> <p>8 A. Just Rick Chapman.</p> <p>9 Q. You told him that you were going to testify?</p> <p>10 A. Only because I knew he was going to be in</p> <p>11 Tampa at the same time, and I haven't seen him in a</p> <p>12 long time -- or he lives in Tampa, I should say. So I</p> <p>13 was -- really just for logistics to meet, and that was</p> <p>14 it.</p> <p>15 Q. When did you talk to him?</p> <p>16 A. When I was -- a few weeks ago.</p> <p>17 Q. Did you talk about your -- your work at</p> <p>18 Rite-Aid with him?</p> <p>19 A. No.</p> <p>20 Q. Did you meet with him here and talk about your</p> <p>21 work with Rite-Aid?</p> <p>22 A. No.</p> <p>23 Q. All right. Subject to any direct questions,</p> <p>24 Rite-Aid's counsel might have a few. I don't have any</p> <p>25 further questions at this time.</p>	<p style="text-align: right;">Page 208</p> <p>1 CERTIFICATE OF OATH</p> <p>2</p> <p>3</p> <p>4 STATE OF FLORIDA</p> <p>5 COUNTY OF HILLSBOROUGH</p> <p>6</p> <p>7</p> <p>8 I, Lisa A. Simons-Clark, RMR, CRR, Notary</p> <p>9 Public, State of Florida, certify that CHRISTOPHER</p> <p>10 BELLI personally appeared before me on the 20th day of</p> <p>11 December, 2018, and was duly sworn.</p> <p>12</p> <p>13 WITNESS my hand and official seal this ____ day of</p> <p>14 December, 2018.</p> <p>15</p> <p>16</p> <p>17 _____</p> <p>18 Lisa A. Simons-Clark, RMR, CRR</p> <p>19 Notary Public - State of Florida</p> <p>20 My Commission Expires: 7/1/20</p> <p>21 Commission No. GG 001980</p> <p>22</p> <p>23</p> <p>24</p> <p>25</p>
<p style="text-align: right;">Page 207</p> <p>1 MS. McENROE: Can we take a quick break?</p> <p>2 THE VIDEOGRAPHER: Off the record, 3:33 p.m.</p> <p>3 (Brief recess was taken.)</p> <p>4 THE VIDEOGRAPHER: On the record, 3:35 p.m.</p> <p>5 MS. McENROE: No questions from us. Just</p> <p>6 thank you very much.</p> <p>7 MR. PIFKO: All right.</p> <p>8 THE VIDEOGRAPHER: Off the record, 3:35 p.m.</p> <p>9 (Deposition concluded at 3:35 p.m.)</p> <p>10</p> <p>11</p> <p>12</p> <p>13</p> <p>14</p> <p>15</p> <p>16</p> <p>17</p> <p>18</p> <p>19</p> <p>20</p> <p>21</p> <p>22</p> <p>23</p> <p>24</p> <p>25</p>	<p style="text-align: right;">Page 209</p> <p>1 REPORTER'S CERTIFICATE</p> <p>2</p> <p>3 STATE OF FLORIDA</p> <p>4 COUNTY OF PINELLAS</p> <p>5</p> <p>6 I, Lisa A. Simons-Clark, Registered Merit</p> <p>7 Reporter, Certified Realtime Reporter, certify that I</p> <p>8 was authorized to and did stenographically report the</p> <p>9 deposition of CHRISTOPHER BELLI; that a review of the</p> <p>10 transcript was requested; and that the transcript is a</p> <p>11 true and complete record of my stenographic notes.</p> <p>12</p> <p>13 I further certify that I am not a relative,</p> <p>14 employee, attorney, or counsel of any of the parties,</p> <p>15 nor am I a relative or employee of any of the parties'</p> <p>16 attorney or counsel connected with the action, nor am I</p> <p>17 financially interested in the action.</p> <p>18</p> <p>19 Dated this ____ day of December, 2018.</p> <p>20</p> <p>21</p> <p>22</p> <p>23</p> <p>24</p> <p>25</p> <p>26</p> <p>27</p> <p>28</p> <p>29</p> <p>30</p> <p>31</p> <p>32</p> <p>33</p> <p>34</p> <p>35</p> <p>36</p> <p>37</p> <p>38</p> <p>39</p> <p>40</p> <p>41</p> <p>42</p> <p>43</p> <p>44</p> <p>45</p> <p>46</p> <p>47</p> 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1 ERRATA SHEET  
2 DO NOT WRITE ON TRANSCRIPT - ENTER CHANGES HERE  
3 IN RE: National Prescription Opiate Litigation  
WITNESS: CHRISTOPHER BELLI  
4 DATE OF DEPOSITION: December 20, 2018  
5 PAGE LINE CHANGE REASON  
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Under penalties of perjury, I declare that I have read  
21 the foregoing document and that the facts stated in it  
are true.  
22  
23  
\_\_\_\_\_  
24 DATE CHRISTOPHER BELLI  
25 Reporter: Lisa A. Simons-Clark, RMR, CRR